



1 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,
2 apply for Wisconsin purposes at the same time as for federal purposes.

3 **SECTION 1267.** 71.01 (6) (n) of the statutes is amended to read:

4 71.01 (6) (n) For taxable years that begin after December 31, 1998, and before
5 January 1, 2000, for natural persons and fiduciaries, except fiduciaries of nuclear
6 decommissioning trust or reserve funds, “Internal Revenue Code” means the federal
7 Internal Revenue Code as amended to December 31, 1998, excluding sections 103,
8 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
9 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
10 104–188, and as amended by P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,
11 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431
12 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.
13 107–147, P.L. 107–181, and P.L. 107–276, P.L. 108–121, excluding section 109 of P.L.
14 108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.
15 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910
16 of P.L. 108–357, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647,
17 P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508,
18 P.L. 102–90, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.
19 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
20 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.
21 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
22 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.
23 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L.
24 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16,
25 excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections

101 and 406 of P.L. 107-147, P.L. 107-181, and P.L. 107-276, P.L. 108-121, excluding
section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306, 307, 308, 401, and
403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337,
909, and 910 of P.L. 108-357. The Internal Revenue Code applies for Wisconsin
purposes at the same time as for federal purposes. Amendments to the federal
Internal Revenue Code enacted after December 31, 1998, do not apply to this
paragraph with respect to taxable years beginning after December 31, 1998, and
before January 1, 2000, except that changes to the Internal Revenue Code made by
P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and
165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134,
P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L.
107-276, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311,
excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357,
excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and changes
that indirectly affect the provisions applicable to this subchapter made by P.L.
106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of
P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L.
107-276, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311,
excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357,
excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, apply for
Wisconsin purposes at the same time as for federal purposes.

SECTION 1268. 71.01 (6) (o) of the statutes is amended to read:

71.01 (6) (o) For taxable years that begin after December 31, 1999, and before
January 1, 2003, for natural persons and fiduciaries, except fiduciaries of nuclear

1 decommissioning trust or reserve funds, “Internal Revenue Code” means the federal
2 Internal Revenue Code as amended to December 31, 1999, excluding sections 103,
3 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
4 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
5 104–188, and as amended by P.L. 106–230, P.L. 106–554, excluding sections 162 and
6 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16,
7 P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and
8 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L.
9 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding
10 section 109 of P.L. 108–121, P.L. 108–218, P.L. 108–311, excluding sections 306, 307,
11 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201,
12 244, 336, 337, 909, and 910 of P.L. 108–357, and as indirectly affected by P.L. 99–514,
13 P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239,
14 P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104,
15 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections
16 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.
17 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections
18 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.
19 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.
20 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of
21 P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L.
22 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of
23 P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L.
24 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding
25 section 109 of P.L. 108–121, P.L. 108–218, 108–311, excluding sections 306, 307, 308,

1 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244,
2 336, 337, 909, and 910 of P.L. 108–357. The Internal Revenue Code applies for
3 Wisconsin purposes at the same time as for federal purposes. Amendments to the
4 federal Internal Revenue Code enacted after December 31, 1999, do not apply to this
5 paragraph with respect to taxable years beginning after December 31, 1999, and
6 before January 1, 2003, except that changes to the Internal Revenue Code made by
7 P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L.
8 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116,
9 P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L.
10 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L. 108–27, excluding
11 sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L.
12 108–121, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403
13 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909,
14 and 910 of P.L. 108–357, and changes that indirectly affect the provisions applicable
15 to this subchapter made by P.L. 106–230, P.L. 106–554, excluding sections 162 and
16 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16,
17 P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and
18 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L.
19 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding
20 section 109 of P.L. 108–121, P.L. 108–218, P.L. 108–311, excluding sections 306, 307,
21 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201,
22 244, 336, 337, 909, and 910 of P.L. 108–357, apply for Wisconsin purposes at the same
23 time as for federal purposes.

24 **SECTION 1269.** 71.01 (6) (p) of the statutes is amended to read:

1 71.01 (6) (p) For taxable years that begin after December 31, 2002, and before
2 January 1, 2004, for natural persons and fiduciaries, except fiduciaries of nuclear
3 decommissioning trust or reserve funds, “Internal Revenue Code” means the federal
4 Internal Revenue Code as amended to December 31, 2002, excluding sections 103,
5 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
6 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
7 104–188, P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section
8 431 of P.L. 107–16, and section 101 of P.L. 107–147, and as amended by P.L. 108–27,
9 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section
10 109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L.
11 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403
12 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and
13 910 of P.L. 108–357, and P.L. 108–375, and as indirectly affected by P.L. 99–514, P.L.
14 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.
15 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104, and
16 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections
17 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.
18 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections
19 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.
20 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.
21 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of
22 P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L.
23 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding section 101 of P.L.
24 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L. 108–27,
25 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section

109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and P.L. 108–375. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 2002, do not apply to this paragraph with respect to taxable years beginning after December 31, 2002, and before January 1, 2004, except that changes to the Internal Revenue Code made by P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and P.L. 108–375, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and P.L. 108–375, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1270. 71.01 (6) (q) of the statutes is created to read:

71.01 (6) (q) For taxable years that begin after December 31, 2003, and before January 1, 2005, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, “Internal Revenue Code” means the federal Internal Revenue Code as amended to December 31, 2003, excluding sections 103,

104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, section 101 of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 109 of P.L. 108–121, and section 1201 of P.L. 108–173, and as amendeded by P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, P.L. 108–375, and P.L. 108–476, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding section 101 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, P.L. 108–375, and P.L. 108–476. The Internal Revenue Code applies for Wisconsin purposes at the same

1 time as for federal purposes. Amendments to the federal Internal Revenue Code
2 enacted after December 31, 2003, do not apply to this paragraph with respect to
3 taxable years beginning after December 31, 2003, and before January 1, 2005,
4 except that changes to the Internal Revenue Code made by P.L. 108–203, P.L.
5 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.
6 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of
7 P.L. 108–357, P.L. 108–375, and P.L. 108–476, and changes that indirectly affect the
8 provisions applicable to this subchapter made by P.L. 108–203, P.L. 108–218, P.L.
9 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L.
10 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,
11 P.L. 108–375, and P.L. 108–476, apply for Wisconsin purposes at the same time as
12 for federal purposes.

13 **SECTION 1271.** 71.01 (6) (r) of the statutes is created to read:

14 71.01 (6) (r) For taxable years that begin after December 31, 2004, for natural
15 persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or
16 reserve funds, “Internal Revenue Code” means the federal Internal Revenue Code
17 as amended to December 31, 2004, excluding sections 103, 104, and 110 of P.L.
18 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,
19 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3,
20 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section
21 431 of P.L. 107–16, section 101 of P.L. 107–147, sections 106, 201, and 202 of P.L.
22 108–27, section 1201 of P.L. 108–173, sections 306, 308, 401, and 403 (a) of P.L.
23 108–311, and sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and as
24 indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.
25 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L.

102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.
102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L.
104–117, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
(d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.
105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L.
106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16,
excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L.
107–147, excluding section 101 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L.
107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L.
108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L.
108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 401, and 403 (a)
of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and
910 of P.L. 108–357, P.L. 108–375, and P.L. 108–476. The Internal Revenue Code
applies for Wisconsin purposes at the same time as for federal purposes.
Amendments to the federal Internal Revenue Code enacted after December 31, 2004,
do not apply to this paragraph with respect to taxable years beginning after
December 31, 2004.

SECTION 1272. 71.01 (8g) of the statutes is amended to read:

71.01 (8g) “Member” does not include a member of a limited liability company
treated as a corporation under s. 71.22 ~~(1)~~ (1k).

SECTION 1273. 71.01 (8m) of the statutes is amended to read:

71.01 (8m) “Partner” does not include a partner of a publicly traded
partnership treated as a corporation under s. 71.22 ~~(1)~~ (1k).

SECTION 1274. 71.01 (10g) of the statutes is created to read:

1 **71.01 (10g)** For purposes of s. 71.04 (7) (df) and (dh), “state” means a state of
2 the United States, the District of Columbia, the commonwealth of Puerto Rico, or any
3 territory or possession of the United States, unless the context requires that “state”
4 means only the state of Wisconsin.

5 **SECTION 1275.** 71.03 (1) of the statutes is amended to read:

6 **71.03 (1) DEFINITION.** In this section, “gross income” means all income, from
7 whatever source derived and in whatever form realized, whether in money, property
8 or services, which is not exempt from Wisconsin income taxes. “Gross income”
9 includes, but is not limited to, the following items: compensation for services,
10 including salaries, wages and fees, commissions and similar items; gross income
11 derived from business; interest; rents; royalties; dividends; alimony and separate
12 maintenance payments; annuities; income from life insurance and endowment
13 contracts; pensions; income from discharge of indebtedness; distributive shares of
14 partnership gross income except distributive shares of the income of publicly traded
15 partnerships treated as corporations under s. 71.22 (1) (1k); distributive shares of
16 limited liability company gross income except distributive shares of the income of
17 limited liability companies treated as corporations under s. 71.22 (1) (1k); income in
18 respect of a decedent; and income from an interest in an estate or trust. “Gross
19 income” from a business or farm consists of the total gross receipts without reduction
20 for cost of goods sold, expenses or any other amounts. The gross rental amounts
21 received from rental properties are included in gross income without reduction for
22 expenses or any other amounts. “Gross income” from the sale of securities, property
23 or other assets consists of the gross selling price without reduction for the cost of the
24 assets, expenses of sale or any other amounts. “Gross income” from an annuity,

1 retirement plan or profit sharing plan consists of the gross amount received without
2 reduction for the employee's contribution to the annuity or plan.

3 **SECTION 1276m.** 71.04 (7) (d) of the statutes is amended to read:

4 71.04 (7) (d) Sales Except as provided in pars. (df) and (dh), sales, other than
5 sales of tangible personal property, are in this state if the income-producing activity
6 is performed in this state. If the income-producing activity is performed both in and
7 outside this state the sales shall be divided between those states having jurisdiction
8 to tax such business in proportion to the direct costs of performance incurred in each
9 such state in rendering this service. ~~Services performed in states which do not have~~
10 ~~jurisdiction to tax the business shall be deemed to have been performed in the state~~
11 ~~to which compensation is allocated by s. 71.04 (6), 2001 stats.~~

12 **SECTION 1279.** 71.04 (7) (df) of the statutes is created to read:

13 71.04 (7) (df) 1. Gross receipts from the use of computer software are in this
14 state if the purchaser or licensee uses the computer software at a location in this
15 state.

16 2. Computer software is used at a location in this state if the purchaser or
17 licensee uses the computer software in the regular course of business operations in
18 this state, for personal use in this state, or if the purchaser or licensee is an individual
19 whose domicile is in this state. If the purchaser or licensee uses the computer
20 software in more than one state, the gross receipts shall be divided among those
21 states having jurisdiction to impose an income tax on the taxpayer in proportion to
22 the use of the computer software in those states. To determine computer software
23 use in this state, the department may consider the number of users in each state
24 where the computer software is used, the number of site licenses or workstations in

1 this state, and any other factors that reflect the use of computer software in this
2 state.

3 3. If the taxpayer is not subject to income tax in the state in which the gross
4 receipts are considered received under this paragraph, but the taxpayer's
5 commercial domicile is in this state, 50 percent of those gross receipts shall be
6 included in the numerator of the sales factor.

7 **SECTION 1281.** 71.04 (7) (dh) of the statutes is created to read:

8 71.04 (7) (dh) 1. Gross receipts from services are in this state if the purchaser
9 of the service received the benefit of the service in this state.

10 2. The benefit of a service is received in this state if any of the following applies:

11 a. The service relates to real property that is located in this state.

12 b. The service relates to tangible personal property that is located in this state
13 at the time that the service is received or tangible personal property that is delivered
14 directly or indirectly to customers in this state.

15 c. The service is provided to an individual who is physically present in this state
16 at the time that the service is received.

17 d. The service is provided to a person engaged in a trade or business in this state
18 and relates to that person's business in this state.

19 3. If the purchaser of a service receives the benefit of a service in more than one
20 state, the gross receipts from the performance of the service are included in the
21 numerator of the sales factor according to the portion of the service received in this
22 state.

23 4. If the taxpayer is not subject to income tax in the state in which the benefit
24 of the service is received, the benefit of the service is received in this state to the
25 extent that the taxpayer's employees or representatives performed services from a

1 location in this state. Fifty percent of the taxpayer's receipts that are considered
2 received in this state under this paragraph shall be included in the numerator of the
3 sales factor.

4 **SECTION 1286c.** 71.05 (1) (bm) of the statutes is created to read:

5 71.05 (1) (bm) *Health Insurance Risk-Sharing Plan.* Income of the
6 organization administering the Health Insurance Risk-Sharing Plan under ch. 149.

7 **SECTION 1286e.** 71.05 (6) (b) 20. (intro.) of the statutes is amended to read:

8 71.05 (6) (b) 20. (intro.) For taxable years beginning on or after January 1,
9 1995, and before January 1, 2006, an amount paid by a person who is the employee
10 of another person if the person's employer pays no amount of money toward the
11 person's medical care insurance, for medical care insurance for the person, his or her
12 spouse and the person's dependents, calculated as follows:

✓ 13 **SECTION 1286gm.** 71.05 (6) (b) 21. of the statutes is renumbered 71.05 (6) (b)
14 21. a. and amended to read:

✓ 15 71.05 (6) (b) 21. a. The For taxable years beginning before January 1, 2007, the
16 difference between the amount of social security benefits included in federal
17 adjusted gross income for the current year and the amount calculated under section
18 86 of the ~~internal revenue code~~ Internal Revenue Code as that section existed on
19 December 31, 1992.

✓ 20 **SECTION 1286hm.** 71.05 (6) (b) 21. b. of the statutes is created to read:

21 71.05 (6) (b) 21. b. For taxable years beginning after December 31, 2006, and
22 before January 1, 2008, the difference between the amount of social security benefits
23 included in federal adjusted gross income for the current year and 70 percent of the
24 amount calculated under section 86 of the Internal Revenue Code as that section
25 existed on December 31, 1992.

✓ **SECTION 1286im.** 71.05 (6) (b) 21. c. of the statutes is created to read:

71.05 (6) (b) 21. c. For taxable years beginning after December 31, 2007 and before January 1, 2009, the difference between the amount of social security benefits included in federal adjusted gross income for the current year and 40 percent of the amount calculated under section 86 of the Internal Revenue Code as that section existed on December 31, 1992.

✓ **SECTION 1286jm.** 71.05 (6) (b) 21. d. of the statutes is created to read:

71.05 (6) (b) 21. d. For taxable years beginning after December 31, 2008, the amount of social security benefits included in federal adjusted gross income under section 86 of the Internal Revenue Code.

SECTION 1287. 71.05 (6) (b) 28. (intro.) of the statutes is amended to read:

71.05 (6) (b) 28. (intro.) An amount paid by a claimant for tuition expenses for a student who is the claimant or who is the claimant's child and the claimant's dependent who is claimed under section 151 (c) of the Internal Revenue Code, to attend any university, college, technical college or a school approved under s. 45.54 38.50, that is located in Wisconsin or to attend a public vocational school or public institution of higher education in Minnesota under the Minnesota–Wisconsin reciprocity agreement under s. 39.47, calculated as follows:

SECTION 1288. 71.05 (6) (b) 28. a. of the statutes is amended to read:

71.05 (6) (b) 28. a. An amount equal to not more than ~~\$3,000~~ twice the average amount charged by the board of regents of the University of Wisconsin System at 4-year institutions for resident undergraduate academic fees for the most recent fall semester, as determined by the board of regents by September 1 of that semester, per student for each year to which the claim relates.

SECTION 1288e. 71.05 (6) (b) 35. of the statutes is created to read:

1 71.05 (6) (b) 35. For taxable years beginning after December 31, 2005, an
2 amount paid by an individual who is the employee of another person if the
3 individual's employer pays no amount of money toward the individual's medical care
4 insurance, for medical care insurance for the individual, his or her spouse, and the
5 individual's dependents, calculated as follows:

6 a. One hundred percent of the amount paid by the individual for medical care
7 insurance. In this subdivision, "medical care insurance" means a medical care
8 insurance policy that covers the individual, his or her spouse, and the individual's
9 dependents and provides surgical, medical, hospital, major medical, or other health
10 service coverage, and includes payments made for medical care benefits under a
11 self-insured plan, but "medical care insurance" does not include hospital indemnity
12 policies or policies with ancillary benefits such as accident benefits or benefits for loss
13 of income resulting from a total or partial inability to work because of illness,
14 sickness, or injury.

15 b. From the amount calculated under subd. 35. a., subtract the amounts
16 deducted from gross income for medical care insurance in the calculation of federal
17 adjusted gross income.

18 c. For an individual who is a nonresident or part-year resident of this state,
19 multiply the amount calculated under subd. 35. a. or b., by a fraction the numerator
20 of which is the individual's wages, salary, tips, unearned income, and net earnings
21 from a trade or business that are taxable by this state and the denominator of which
22 is the individual's total wages, salary, tips, unearned income, and net earnings from
23 a trade or business. In this subd. 35. c., for married persons filing separately "wages,
24 salary, tips, unearned income, and net earnings from a trade or business" means the
25 separate wages, salary, tips, unearned income, and net earnings from a trade or

1 business of each spouse, and for married persons filing jointly “wages, salary, tips,
2 unearned income, and net earnings from a trade or business” means the total wages,
3 salary, tips, unearned income, and net earnings from a trade or business of both
4 spouses.

5 d. Reduce the amount calculated under subd. 35. a., b., or c. to the individual’s
6 aggregate wages, salary, tips, unearned income, and net earnings from a trade or
7 business that are taxable by this state.

8 **SECTION 1288f.** 71.05 (6) (b) 36. of the statutes is created to read:

9 71.05 (6) (b) 36. For taxable years beginning after December 31, 2006, and
10 before January 1, 2008, an amount paid by an individual, other than a person to
11 whom subd. 19. applies, who has no employer and no self-employment income, for
12 medical care insurance for the individual, his or her spouse, and the individual’s
13 dependents, calculated as follows:

14 a. Thirty-three and four-tenths percent of the amount paid by the individual
15 for medical care insurance. In this subdivision, “medical care insurance” means a
16 medical care insurance policy that covers the individual, his or her spouse, and the
17 individual’s dependents and provides surgical, medical, hospital, major medical, or
18 other health service coverage, and includes payments made for medical care benefits
19 under a self-insured plan, but “medical care insurance” does not include hospital
20 indemnity policies or policies with ancillary benefits such as accident benefits or
21 benefits for loss of income resulting from a total or partial inability to work because
22 of illness, sickness, or injury.

23 b. From the amount calculated under subd. 36. a., subtract the amounts
24 deducted from gross income for medical care insurance in the calculation of federal
25 adjusted gross income.

1 c. For an individual who is a nonresident or part-year resident of this state,
2 multiply the amount calculated under subd. 36. a. or b., by a fraction the numerator
3 of which is the individual's wages, salary, tips, unearned income, and net earnings
4 from a trade or business that are taxable by this state and the denominator of which
5 is the individual's total wages, salary, tips, unearned income, and net earnings from
6 a trade or business. In this subd. 36. c., for married persons filing separately "wages,
7 salary, tips, unearned income, and net earnings from a trade or business" means the
8 separate wages, salary, tips, unearned income, and net earnings from a trade or
9 business of each spouse, and for married persons filing jointly "wages, salary, tips,
10 unearned income, and net earnings from a trade or business" means the total wages,
11 salary, tips, unearned income, and net earnings from a trade or business of both
12 spouses.

13 d. Reduce the amount calculated under subd. 36. a., b., or c. to the individual's
14 aggregate wages, salary, tips, unearned income, and net earnings from a trade or
15 business that are taxable by this state.

16 **SECTION 1288g.** 71.05 (6) (b) 37. of the statutes is created to read:

17 71.05 (6) (b) 37. For taxable years beginning after December 31, 2007, and
18 before January 1, 2009, an amount paid by an individual, other than a person to
19 whom subd. 19. applies, who has no employer and no self-employment income, for
20 medical care insurance for the individual, his or her spouse, and the individual's
21 dependents, calculated as follows:

22 a. Sixty-six and seven-tenths percent of the amount paid by the individual for
23 medical care insurance. In this subdivision, "medical care insurance" means a
24 medical care insurance policy that covers the individual, his or her spouse, and the
25 individual's dependents and provides surgical, medical, hospital, major medical, or

1 other health service coverage, and includes payments made for medical care benefits
2 under a self-insured plan, but “medical care insurance” does not include hospital
3 indemnity policies or policies with ancillary benefits such as accident benefits or
4 benefits for loss of income resulting from a total or partial inability to work because
5 of illness, sickness, or injury.

6 b. From the amount calculated under subd. 37. a., subtract the amounts
7 deducted from gross income for medical care insurance in the calculation of federal
8 adjusted gross income.

9 c. For an individual who is a nonresident or part-year resident of this state,
10 multiply the amount calculated under subd. 37. a. or b., by a fraction the numerator
11 of which is the individual’s wages, salary, tips, unearned income, and net earnings
12 from a trade or business that are taxable by this state and the denominator of which
13 is the individual’s total wages, salary, tips, unearned income, and net earnings from
14 a trade or business. In this subd. 37. c., for married persons filing separately “wages,
15 salary, tips, unearned income, and net earnings from a trade or business” means the
16 separate wages, salary, tips, unearned income, and net earnings from a trade or
17 business of each spouse, and for married persons filing jointly “wages, salary, tips,
18 unearned income, and net earnings from a trade or business” means the total wages,
19 salary, tips, unearned income, and net earnings from a trade or business of both
20 spouses.

21 d. Reduce the amount calculated under subd. 37. a., b., or c. to the individual’s
22 aggregate wages, salary, tips, unearned income, and net earnings from a trade or
23 business that are taxable by this state.

24 **SECTION 1288h.** 71.05 (6) (b) 38. of the statutes is created to read:

1 71.05 (6) (b) 38. For taxable years beginning after December 31, 2008, an
2 amount paid by an individual, other than a person to whom subd. 19. applies, who
3 has no employer and no self-employment income, for medical care insurance for the
4 individual, his or her spouse, and the individual's dependents, calculated as follows:

5 a. One hundred percent of the amount paid by the individual for medical care
6 insurance. In this subdivision, "medical care insurance" means a medical care
7 insurance policy that covers the individual, his or her spouse, and the individual's
8 dependents and provides surgical, medical, hospital, major medical, or other health
9 service coverage, and includes payments made for medical care benefits under a
10 self-insured plan, but "medical care insurance" does not include hospital indemnity
11 policies or policies with ancillary benefits such as accident benefits or benefits for loss
12 of income resulting from a total or partial inability to work because of illness,
13 sickness, or injury.

14 b. From the amount calculated under subd. 38. a., subtract the amounts
15 deducted from gross income for medical care insurance in the calculation of federal
16 adjusted gross income.

17 c. For an individual who is a nonresident or part-year resident of this state,
18 multiply the amount calculated under subd. 38. a. or b., by a fraction the numerator
19 of which is the individual's wages, salary, tips, unearned income, and net earnings
20 from a trade or business that are taxable by this state and the denominator of which
21 is the individual's total wages, salary, tips, unearned income, and net earnings from
22 a trade or business. In this subd. 38. c., for married persons filing separately "wages,
23 salary, tips, unearned income, and net earnings from a trade or business" means the
24 separate wages, salary, tips, unearned income, and net earnings from a trade or
25 business of each spouse, and for married persons filing jointly "wages, salary, tips,

1 unearned income, and net earnings from a trade or business” means the total wages,
2 salary, tips, unearned income, and net earnings from a trade or business of both
3 spouses.

4 d. Reduce the amount calculated under subd. 38. a., b., or c. to the individual’s
5 aggregate wages, salary, tips, unearned income, and net earnings from a trade or
6 business that are taxable by this state.

7 **SECTION 1289.** 71.05 (22) (f) 4. a. of the statutes is amended to read:

8 71.05 (22) (f) 4. a. For taxable years beginning after December 31, 1997, in the
9 case of a taxpayer with respect to whom ~~a deduction~~ an exemption under s. 71.07 (8)
10 sub. (23) (b) 2. is allowable to another person, the Wisconsin standard deduction shall
11 be the lesser of the amount under subd. 4. b. or one of the amounts calculated under
12 subd. 4. c., whichever amount under subd. 4. c. is greater.

13 **SECTION 1290.** 71.05 (22) (g) of the statutes is amended to read:

14 71.05 (22) (g) *Nonresidents.* With respect to nonresident natural persons
15 deriving income from property located, business transacted or personal or
16 professional services performed in this state, including natural persons changing
17 their domicile into or from this state, the Wisconsin standard deduction and itemized
18 deductions are based on federal adjusted gross income, and as provided in par. (f) 4.,
19 and are limited by such fraction of that amount as Wisconsin adjusted gross income
20 is of federal adjusted gross income. In this paragraph, for married persons filing
21 separately “adjusted gross income” means the separate adjusted gross income of
22 each spouse, and for married persons filing jointly “adjusted gross income” means the
23 total adjusted gross income of both spouses.

24 **SECTION 1291.** 71.05 (22) (h) of the statutes is amended to read:

1 71.05 (22) (h) *Part-year residents*. If a person and that person's spouse are not
2 both domiciled in this state during the entire taxable year, the Wisconsin standard
3 deduction or itemized deduction on a joint return is determined by multiplying the
4 Wisconsin standard deduction or itemized deduction, each calculated on the basis of
5 federal adjusted gross income, and as provided in par. (f) 4., by a fraction the
6 numerator of which is their joint Wisconsin adjusted gross income and the
7 denominator of which is their joint federal adjusted gross income. For a married
8 person who is not domiciled in this state for the entire taxable year and who files a
9 separate return, the Wisconsin standard deduction and itemized deduction are
10 determined under par. (g).

11 **SECTION 1293.** 71.07 (2di) (b) 1. of the statutes is repealed.

12 **SECTION 1294.** 71.07 (2dL) (c) 1. of the statutes is repealed.

13 **SECTION 1295.** 71.07 (2dL) (c) 2. of the statutes is renumbered 71.07 (2dL) (c).

14 **SECTION 1296.** 71.07 (2dL) (d) of the statutes is amended to read:

15 71.07 (2dL) (d) Except as provided in par. (c) 2., the carry-over provisions of
16 s. 71.28 (4) (e) and (f) as they relate to the credit under s. 71.28 (4) relate to the credit
17 under this subsection and apply as if the development zone continued to exist.

18 **SECTION 1297.** 71.07 (2dm) (hm) of the statutes is amended to read:

19 71.07 (2dm) (hm) ~~Credits claimed~~ A claimant may claim the credit under this
20 subsection, including any credits carried over, ~~may be offset only~~ against the amount
21 of the tax otherwise due under this subchapter ~~attributable to income from the~~
22 ~~business operations of the claimant in the development zone; except that a claimant~~
23 ~~in a development zone under s. 560.795 (1) (e) may offset credits, including any~~
24 ~~credits carried over, against the amount of the tax otherwise due under this~~

1 ~~subchapter attributable to all of the claimant's income; and against the tax~~
2 ~~attributable to income from directly related business operations of the claimant.~~

3 **SECTION 1298.** 71.07 (2dr) (a) of the statutes is amended to read:

4 71.07 (2dr) (a) *Credit.* Any person may credit against taxes otherwise due
5 under this chapter an amount equal to 5% of the amount obtained by subtracting
6 from the person's qualified research expenses, as defined in section 41 of the internal
7 revenue code, except that "qualified research expenses" include only expenses
8 incurred by the claimant in a development zone under subch. VI of ch. 560, except
9 that a taxpayer may elect the alternative computation under section 41 (c) (4) of the
10 Internal Revenue Code and that election applies until the department permits its
11 revocation and except that "qualified research expenses" do not include
12 compensation used in computing the credit under sub. (2dj) nor research expenses
13 incurred before the claimant is certified for tax benefits under s. 560.765 (3), the
14 person's base amount, as defined in section 41 (c) of the internal revenue code, in a
15 development zone, except that gross receipts used in calculating the base amount
16 means gross receipts from sales attributable to Wisconsin under s. 71.04 (7) (b) 1. and
17 2. and, (d), (df), and (dh) and research expenses used in calculating the base amount
18 include research expenses incurred before the claimant is certified for tax benefits
19 under s. 560.765 (3), in a development zone, if the claimant submits with the
20 claimant's return a copy of the claimant's certification for tax benefits under s.
21 560.765 (3) and a statement from the department of commerce verifying the
22 claimant's qualified research expenses for research conducted exclusively in a
23 development zone. The rules under s. 73.03 (35) apply to the credit under this
24 paragraph. The rules under sub. (2di) (f) and (g), as they apply to the credit under

1 that subsection, apply to claims under this paragraph. Section 41 (h) of the internal
2 revenue code does not apply to the credit under this paragraph.

3 **SECTION 1299.** 71.07 (2dx) (a) 5. of the statutes is amended to read:

4 71.07 (2dx) (a) 5. “Member of a targeted group” means a person who resides
5 in an empowerment zone, or an enterprise community, that the U.S. government
6 designates area designated by the federal government as an economic revitalization
7 area, a person who is employed in an unsubsidized job but meets the eligibility
8 requirements under s. 49.145 (2) and (3) for a Wisconsin works Works employment
9 position, a person who is employed in a trial job, as defined in s. 49.141 (1) (n), a
10 person who is eligible for child care assistance under s. 49.155, a person who is a
11 vocational rehabilitation referral, an economically disadvantaged youth, an
12 economically disadvantaged veteran, a supplemental security income recipient, a
13 general assistance recipient, an economically disadvantaged ex-convict, a qualified
14 summer youth employee, as defined in 26 USC 51 (d) (7), a dislocated worker, as
15 defined in 29 USC 2801 (9), or a food stamp recipient, if the person has been certified
16 in the manner under sub. (2dj) (am) 3. by a designated local agency, as defined in sub.
17 (2dj) (am) 2.

18 **SECTION 1300.** 71.07 (2dx) (b) (intro.) of the statutes is amended to read:

19 71.07 (2dx) (b) *Credit.* (intro.) Except as provided in pars. (be) and (bg) and
20 in s. 73.03 (35), and subject to s. 560.785, for any taxable year for which the person
21 is entitled under s. 560.795 (3) to claim tax benefits or certified under s. 560.765 (3),
22 560.797 (4) or 560.798 (3), any person may claim as a credit against the taxes imposed
23 on the person's income from the person's business activities in a development zone
24 otherwise due under this chapter the following amounts:

25 **SECTION 1305.** 71.07 (3m) (a) 1. b. of the statutes is amended to read:

1 71.07 (3m) (a) 1. b. For partnerships except publicly traded partnerships
2 treated as corporations under s. 71.22 (1) (1k), or limited liability companies, except
3 limited liability companies treated as corporations under s. 71.22 (1) (1k), “claimant”
4 means each individual partner or member.

5 **SECTION 1306.** 71.07 (3n) (title) of the statutes is amended to read:

6 71.07 (3n) (title) DAIRY AND LIVESTOCK FARM INVESTMENT CREDIT.

7 **SECTION 1310b.** 71.07 (3n) (a) 2. (intro.) of the statutes is amended to read:

8 71.07 (3n) (a) 2. (intro.) “Dairy farm modernization or expansion” means the
9 construction, the improvement, or the acquisition of buildings or facilities, or the
10 acquisition of equipment, for dairy animal housing, confinement, animal feeding,
11 milk production, or waste management, including the following, if used exclusively
12 related to dairy animals and if acquired and placed in service in this state during
13 taxable years that begin after December 31, 2003, and before January 1, 2010:

14 **SECTION 1310c.** 71.07 (3n) (a) 4. of the statutes is created to read:

15 71.07 (3n) (a) 4. “Livestock” means cattle, not including dairy animals; swine;
16 poultry, not including farm–raised game birds or ratites; fish that are raised in
17 aquaculture facilities; sheep; and goats.

18 **SECTION 1310d.** 71.07 (3n) (a) 5. of the statutes is created to read:

19 71.07 (3n) (a) 5. “Livestock farm modernization or expansion” means the
20 construction, the improvement, or the acquisition of buildings or facilities, or the
21 acquisition of equipment, for livestock housing, confinement, feeding, or waste
22 management, including the following, if used exclusively related to livestock and if
23 acquired and placed in service in this state during taxable years that begin after
24 December 31, 2005, and before January 1, 2012:

25 a. Birthing structures.

- b. Rearing structures.
- c. Feedlot structures.
- d. Feed storage and handling equipment.
- e. Fences.
- f. Watering facilities.
- g. Scales.
- h. Manure pumping and storage facilities.
- i. Digesters.
- j. Equipment used to produce energy.
- k. Fish hatchery buildings.
- L. Fish processing buildings.
- m. Fish rearing ponds.

SECTION 1310e. 71.07 (3n) (a) 6. of the statutes is created to read:

71.07 (3n) (a) 6. a. For taxable years that begin after December 31, 2003, and before January 1, 2006, “used exclusively,” related to dairy animals, means used to the exclusion of all other uses except for use not exceeding 5 percent of total use.

b. For taxable years that begin after December 31, 2005, and before January 1, 2010, “used exclusively,” related to livestock, dairy animals, or both, means used to the exclusion of all other uses except for use not exceeding 5 percent of total use.

c. For taxable years that begin after December 31, 2009, and before January 1, 2012, “used exclusively,” related to livestock, means used to the exclusion of all other uses except for use not exceeding 5 percent of total use.

SECTION 1311b. 71.07 (3n) (b) of the statutes is renumbered 71.07 (3n) (b) 1.

SECTION 1311c. 71.07 (3n) (b) 2. of the statutes is created to read:

1 71.07 (3n) (b) 2. Subject to the limitations provided in this subsection, for
2 taxable years that begin after December 31, 2005, and before January 1, 2012, a
3 claimant may claim as a credit against the tax imposed under ss. 71.02 and 71.08 an
4 amount equal to 10 percent of the amount the claimant paid in the taxable year for
5 livestock farm modernization or expansion related to the operation of the claimant's
6 livestock farm.

7 **SECTION 1311d.** 71.07 (3n) (e) of the statutes is renumbered 71.07 (3n) (e) 1.
8 and amended to read:

9 71.07 (3n) (e) 1. Partnerships, limited liability companies, and tax-option
10 corporations may not claim the credit under this subsection, but the eligibility for,
11 and the amount of, the credit are based on their payment of expenses under par. (b),
12 except that the aggregate amount of credits that the entity may compute shall not
13 exceed \$50,000. A partnership, limited liability company, or tax-option corporation
14 shall compute the amount of credit that each of its partners, members, or
15 shareholders may claim and shall provide that information to each of them.
16 Partners, members of limited liability companies, and shareholders of tax-option
17 corporations may claim the credit in proportion to their ownership interest.

18 **SECTION 1311e.** 71.07 (3n) (e) 2. of the statutes is created to read:

19 71.07 (3n) (e) 2. If 2 or more persons own and operate the dairy or livestock
20 farm, each person may claim a credit under par. (b) in proportion to his or her
21 ownership interest, except that the aggregate amount of the credits claimed by all
22 persons who own and operate the farm shall not exceed \$50,000.

23 **SECTION 1311g.** 71.07 (5) (a) 15. of the statutes is amended to read:

24 71.07 (5) (a) 15. The amount claimed as a deduction for medical care insurance
25 under section 213 of the Internal Revenue Code that is exempt from taxation under

1 s. 71.05 (6) (b) 17. to 20., 35., 36., 37., and 38. and the amount claimed as a deduction
2 for a long-term care insurance policy under section 213 (d) (1) (D) of the Internal
3 Revenue Code, as defined in section 7702B (b) of the Internal Revenue Code that is
4 exempt from taxation under s. 71.05 (6) (b) 26.

5 **SECTION 1311i.** 71.07 (5g) of the statutes is created to read:

6 **71.07 (5g) HEALTH INSURANCE RISK-SHARING PLAN ASSESSMENTS CREDIT.** (a)
7 *Definitions.* In this subsection, “claimant” means a partner, limited liability
8 company member, or tax-option corporation shareholder who files a claim under this
9 subsection and who is a partner, member, or shareholder of an entity that is an
10 insurer, as defined in s. 149.10 (5).

11 (b) *Filing claims.* Subject to the limitations provided under this subsection, for
12 taxable years beginning after December 31, 2005, a claimant may claim as a credit
13 against the taxes imposed under s. 71.02 an amount that is equal to a percentage of
14 the amount of the assessment under s. 149.13 that the claimant paid in the taxable
15 year, as determined under par. (c).

16 (c) *Limitations.* 1. The department of revenue, in consultation with the office
17 of the commissioner of insurance, shall determine the percentage under par. (b) for
18 each claimant for each taxable year so that the cost of the credit under this subsection
19 and ss. 71.28 (5g), 71.47 (5g), and 76.655 is as close as practicable to \$2,000,000 in
20 the 2006–07 fiscal year and \$5,000,000 in each fiscal year thereafter.

21 2. Partnerships, limited liability companies, and tax-option corporations may
22 not claim the credit under this subsection, but the eligibility for, and the amount of,
23 the credit are based on their payment of amounts described under par. (b). A
24 partnership, limited liability company, or tax-option corporation shall compute the
25 amount of credit that each of its partners, members, or shareholders may claim and

1 shall provide that information to each of them. Partners, members of limited liability
2 companies, and shareholders of tax-option corporations may claim the credit in
3 proportion to their ownership interests.

4 (d) *Administration.* Section 71.28 (4) (e) to (h), as it applies to the credit under
5 s. 71.28 (4), applies to the credit under this subsection.

6 **SECTION 1311j.** 71.07 (6e) of the statutes is created to read:

7 **71.07 (6e) VETERANS AND SURVIVING SPOUSES PROPERTY TAX CREDIT. (a)**

8 *Definitions.* In this subsection:

9 1. “Claimant” means an eligible unremarried surviving spouse or an eligible
10 veteran who files a claim under this subsection.

11 2. “Eligible unremarried surviving spouse” means an unremarried surviving
12 spouse of one of the following, as verified by the department of veterans affairs:

13 a. An individual who had served on active duty in the U.S. armed forces or in
14 forces incorporated as part of the U.S. armed forces, who was a resident of this state
15 at the time of entry into that active service, and who, while a resident of this state,
16 died while on active duty.

17 b. An individual who had served on active duty under honorable conditions in
18 the U.S. armed forces or in forces incorporated as part of the U.S. armed forces; who
19 was a resident of this state at the time of entry into that active service; who was at
20 least 65 years of age at the time of his or her death or would have been 65 years of
21 age at the close of the year in which the death occurred; who was a resident of this
22 state at the time of his or her death; and who had a service-connected disability
23 rating of 100 percent under 38 USC 1114 or 1134.

24 c. An individual who had served in the national guard or a reserve component
25 of the U.S. armed forces, who was a resident of this state at the time of entry into that

1 service, and who, while a resident of this state, died in the line of duty while on active
2 or inactive duty for training purposes.

3 3. “Eligible veteran” means an individual who is at least 65 years of age and
4 who is verified by the department of veterans affairs as meeting all of the following
5 conditions:

6 a. Served on active duty under honorable conditions in the U.S. armed forces
7 or in forces incorporated in the U.S. armed forces.

8 b. Was a resident of this state at the time of entry into that active service.

9 c. Is currently a resident of this state for purposes of receiving veterans benefits
10 under ch. 45.

11 d. Has a service-connected disability rating of 100 percent under 38 USC 1114
12 or 1134.

13 4. “Principal dwelling” has the meaning given in sub. (9) (a) 2.

14 5. “Property taxes” means real and personal property taxes, exclusive of special
15 assessments, delinquent interest, and charges for service, paid by a claimant on the
16 claimant’s principal dwelling in this state during the taxable year for which credit
17 under this subsection is claimed, less any property taxes paid which are properly
18 includable as a trade or business expense under section 162 of the Internal Revenue
19 Code. If the principal dwelling on which the taxes were paid is owned by 2 or more
20 persons or entities as joint tenants or tenants in common or is owned by spouses as
21 marital property, “property taxes” is that part of property taxes paid that reflects the
22 ownership percentage of the claimant. If the principal dwelling is sold during the
23 taxable year, the “property taxes” for the seller and buyer shall be the amount of the
24 tax prorated to each in the closing agreement pertaining to the sale or, if not so
25 provided for in the closing agreement, the tax shall be prorated between the seller

1 and buyer in proportion to months of their respective ownership. “Property taxes”
2 includes monthly parking permit fees in respect to a principal dwelling collected
3 under s. 66.0435 (3) (c).

4 (b) *Filing claims.* Subject to the limitations provided in this subsection, a
5 claimant may claim as a credit against the tax imposed under s. 71.02 the amount
6 of the claimant’s property taxes. If the allowable amount of the claim exceeds the
7 income taxes otherwise due on the claimant’s income, the amount of the claim not
8 used as an offset against those taxes shall be certified by the department of revenue
9 to the department of administration for payment to the claimant by check, share
10 draft, or other draft from the appropriation under s. 20.835 (2) (em).

11 (c) *Limitations.* 1. No credit may be allowed under this subsection unless it
12 is claimed within the time period under s. 71.75 (2).

13 2. No credit may be allowed under this subsection if the individual, or the
14 individual’s spouse, files a claim under sub. (3m) or (9) or subch. VIII or IX that
15 relates to the same taxable year for which a claim is made under this subsection.

16 (d) *Administration.* Subsection (9e) (d), to the extent that it applies to the credit
17 under that subsection, applies to the credit under this subsection.

18 **SECTION 1311m.** 71.07 (6m) (b) of the statutes is renumbered 71.07 (6m) (b)
19 (intro.) and amended to read:

20 71.07 (6m) (b) *Filing claims.* (intro.) Subject to the limitations and conditions
21 provided in this subsection, a claimant may claim as a credit against the tax imposed
22 under s. 71.02, up to the amount of those taxes, one of the following amounts:

23 1. For taxable years beginning before January 1, 2006, an amount up to \$200
24 of military income for services performed by the claimant while he or she is stationed
25 outside of the United States.

1 **SECTION 1311n.** 71.07 (6m) (b) 2. of the statutes is created to read:

2 71.07 (6m) (b) 2. For taxable years beginning after December 31, 2005, an
3 amount up to \$300 of military income for services performed by the claimant while
4 he or she is stationed outside of the United States.

5 **SECTION 1312.** 71.07 (10) of the statutes is amended to read:

6 71.07 (10) CREDITS NOT ALLOWED. The credits under s. 71.28 (4) and (5) may not
7 be claimed by partners, including partners of a publicly traded partnership treated
8 as a corporation under s. 71.22 (~~4~~) (1k), members of a limited liability company,
9 including members of a limited liability company treated as a corporation under s.
10 77.22 (~~4~~) (1k), or shareholders of a tax-option corporation.

11 **SECTION 1312m.** 71.08 (1) (intro.) of the statutes is amended to read:

12 71.08 (1) IMPOSITION. (intro.) If the tax imposed on a natural person, married
13 couple filing jointly, trust, or estate under s. 71.02, not considering the credits under
14 ss. 71.07 (1), (2dd), (2de), (2di), (2dj), (2dL), (2dr), (2ds), (2dx), (2fd), (3m), (3n), (3s),
15 (3t), (5b), (5d), (6), (6e), and (9e), 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx),
16 (1fd), (2m), (3), (3n), and (3t) and 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx),
17 (1fd), (2m), (3), (3n), and (3t) and subchs. VIII and IX and payments to other states
18 under s. 71.07 (7), is less than the tax under this section, there is imposed on that
19 natural person, married couple filing jointly, trust, or estate, instead of the tax under
20 s. 71.02, an alternative minimum tax computed as follows:

21 **SECTION 1312r.** 71.10 (4) (cp) of the statutes is created to read:

22 71.10 (4) (cp) Health insurance risk-sharing plan assessments credit under s.
23 71.07 (5g).

24 **SECTION 1312u.** 71.10 (4) (i) of the statutes is amended to read:

1 71.10 (4) (i) The total of claim of right credit under s. 71.07 (1), farmland
2 preservation credit under subch. IX, homestead credit under subch. VIII, farmland
3 tax relief credit under s. 71.07 (3m), farmers' drought property tax credit under s.
4 71.07 (2fd), veterans and surviving spouses property tax credit under s. 71.07 (6e),
5 earned income tax credit under s. 71.07 (9e), estimated tax payments under s. 71.09,
6 and taxes withheld under subch. X.

7 **SECTION 1313.** 71.10 (5g) of the statutes is created to read:

8 **71.10 (5g) VETERANS TRUST FUND DONATIONS.** (a) *Definitions.* In this subsection:

9 1. "Department" means the department of revenue.

10 2. "Veterans trust fund" means the fund under s. 25.36.

11 (b) *Voluntary payments.* 1. 'Designation on return.' Every individual filing an
12 income tax return who has a tax liability or is entitled to a tax refund may designate
13 on the return any amount of additional payment or any amount of a refund due that
14 individual as a veterans trust fund donation.

15 2. 'Designation added to tax owed.' If the individual owes any tax, the
16 individual shall remit in full the tax due and the amount designated on the return
17 as a veterans trust fund donation when the individual files a tax return.

18 3. 'Designation deducted from refund.' Except as provided in par. (d), if the
19 individual is owed a refund for that year after crediting under ss. 71.75 (9) and 71.80
20 (3) and (3m), the department of revenue shall deduct the amount designated on the
21 return as a veterans trust fund donation from the amount of the refund.

22 (c) *Errors; failure to remit correct amount.* If an individual who owes taxes fails
23 to remit an amount equal to or in excess of the total of the actual tax due, after error
24 corrections, and the amount designated on the return as a veterans trust fund
25 donation:

1 1. The department shall reduce the designation for the veterans trust fund to
2 reflect the amount remitted in excess of the actual tax due, after error corrections,
3 if the individual remitted an amount in excess of the actual tax due, after error
4 corrections, but less than the total of the actual tax due, after error corrections, and
5 the amount originally designated on the return as a veterans trust fund donation.

6 2. The designation for the veterans trust fund donation is void if the individual
7 remitted an amount equal to or less than the actual tax due, after error corrections.

8 (d) *Errors; insufficient refund.* If an individual is owed a refund which does not
9 equal or exceed the amount designated on the return as a veterans trust fund
10 donation, after crediting under ss. 71.75 (9) and 71.80 (3) and (3m) and after error
11 corrections, the department shall reduce the designation for the veterans trust fund
12 donation to reflect the actual amount of the refund that the individual is otherwise
13 owed, after crediting under ss. 71.75 (9) and 71.80 (3) and (3m) and after error
14 corrections.

15 (e) *Conditions.* If an individual places any conditions on a designation for the
16 veterans trust fund donation, the designation is void.

17 (f) *Void designation.* If a designation for the veterans trust fund donation is
18 void, the department shall disregard the designation and determine amounts due,
19 owed, refunded, and received without regard to the void designation.

20 (g) *Tax return.* The secretary of revenue shall provide a place for the
21 designations under this subsection on the individual income tax return.

22 (h) *Certification of amounts.* Annually, on or before September 15, the
23 secretary of revenue shall certify to the department of veterans affairs, the
24 department of administration, and the state treasurer:

1 1. The total amount of the administrative costs, including data processing
2 costs, incurred by the department in administering this subsection during the
3 previous fiscal year.

4 2. The total amount received from all designations for veterans trust fund
5 donations made by taxpayers during the previous fiscal year.

6 3. The net amount remaining after the administrative costs, including data
7 processing costs, under subd. 1. are subtracted from the total received under subd.
8 2.

9 (i) *Appropriations.* From the moneys received from designations for veterans
10 trust fund donations, an amount equal to the sum of administrative expenses,
11 including data processing costs, certified under par. (h) 1. shall be deposited into the
12 general fund and credited to the appropriation account under s. 20.566 (1) (hp), and
13 the net amount remaining that is certified under par. (h) 3. shall be deposited into
14 the veterans trust fund and used for veterans programs under s. 25.36 (1).

15 (j) *Amounts subject to refund.* Amounts designated as veterans trust fund
16 donations under this subsection are not subject to refund to the taxpayer unless the
17 taxpayer submits information to the satisfaction of the department, within 18
18 months after the date on which the taxes are due or the date on which the return is
19 filed, whichever is later, that the amount designated is clearly in error. Any refund
20 granted by the department under this paragraph shall be deducted from the moneys
21 received under this subsection in the fiscal year for which the refund is certified.

22 **SECTION 1314.** 71.10 (6) (a) of the statutes is amended to read:

23 71.10 (6) (a) *Joint returns.* Persons filing a joint return are jointly and severally
24 liable for the tax, interest, penalties, fees, additions to tax and additional
25 assessments under this chapter applicable to the return. ~~A~~ Except as provided in

1 par. (e), a person shall be relieved of liability in regard to a joint return in the manner
2 specified in section 6013 (e) 6015 (a) to (d) and (f) of the internal revenue code,
3 notwithstanding the amount or percentage of the understatement Internal Revenue
4 Code.

5 **SECTION 1315.** 71.10 (6) (b) of the statutes is amended to read:

6 71.10 (6) (b) *Separate returns.* ~~A~~ Except as provided in par. (e), a spouse filing
7 a separate return may be relieved of liability for the tax, interest, penalties, fees,
8 additions to tax and additional assessments under this chapter with regard to
9 unreported marital property income in the manner specified in section 66 (c) of the
10 internal revenue code Internal Revenue Code. The department may not apply ch.
11 766 in assessing a taxpayer with respect to marital property income the taxpayer did
12 not report if that taxpayer failed to notify the taxpayer's spouse about the amount
13 and nature of the income before the due date, including extensions, for filing the
14 return for the taxable year in which the income was derived. The department shall
15 include all of that marital property income in the gross income of the taxpayer and
16 exclude all of that marital property income from the gross income of the taxpayer's
17 spouse.

18 **SECTION 1316.** 71.10 (6) (e) of the statutes is created to read:

19 71.10 (6) (e) *Application for relief.* A person who seeks relief from liability
20 under par. (a) or (b) shall apply for relief with the department, on a form prescribed
21 by the department, within 2 years after the date on which the department first
22 begins collection activities after the effective date of this paragraph [revisor
23 inserts date].

24 **SECTION 1317.** 71.10 (6m) (a) of the statutes is amended to read:

1 71.10 (6m) (a) ~~A~~ Except as provided in par. (c), a formerly married or remarried
2 person filing a return for a period during which the person was married may be
3 relieved of liability for the tax, interest, penalties, fees, additions to tax and
4 additional assessments under this chapter ~~for unreported marital property income~~
5 from that period as if the person were a spouse under section 66 (c) of the ~~internal~~
6 ~~revenue code~~ Internal Revenue Code. The department may not apply ch. 766 in
7 assessing the former spouse of the person with respect to marital property income
8 that the former spouse did not report if that former spouse failed to notify the person
9 about the amount and nature of the income before the due date, including extensions,
10 for filing the return for the taxable year during which the income was derived. The
11 department shall include all of that marital property income in the gross income of
12 the former spouse and exclude all of that marital property income from the gross
13 income of the person.

14 **SECTION 1318.** 71.10 (6m) (c) of the statutes is created to read:

15 71.10 (6m) (c) A person who seeks relief from liability under par. (a) shall apply
16 for relief with the department as provided under sub. (6) (e).

17 **SECTION 1319.** 71.195 of the statutes is amended to read:

18 **71.195 Definition.** In this subchapter, “partnership” includes limited liability
19 companies and other entities that are treated as partnerships under the Internal
20 Revenue Code, and “partnership” does not include publicly traded partnerships
21 treated as corporations under s. 71.22 ~~(1)~~ (1k).

22 **SECTION 1319m.** 71.21 (4) of the statutes is amended to read:

23 71.21 (4) Credits computed by a partnership under s. 71.07 (2dd), (2de), (2di),
24 (2dj), (2dL), (2dm), (2ds), (2dx), (3g), (3n), (3s), (3t), ~~and (5b), and (5g)~~ and passed
25 through to partners shall be added to the partnership’s income.

1 **SECTION 1320.** 71.22 (1) of the statutes is renumbered 71.22 (1k).

2 **SECTION 1321.** 71.22 (1g) of the statutes is created to read:

3 **71.22 (1g)** For purposes of s. 71.25 (9) (df) and (dh), “commercial domicile”
4 means the location from which a trade or business is principally managed and
5 directed, based on any factors the department determines are appropriate, including
6 the location where the greatest number of employees of the trade or business work,
7 have their office or base of operations, or from which the employees are directed or
8 controlled.

9 **SECTION 1322.** 71.22 (1t) of the statutes is created to read:

10 **71.22 (1t)** For purposes of s. 71.25 (9) (df) and (dh), “domicile” means an
11 individual’s true, fixed, and permanent home where the individual intends to remain
12 permanently and indefinitely and to which, whenever absent, the individual intends
13 to return, except that no individual may have more than one domicile at any time.

14 **SECTION 1323.** 71.22 (4) (j) of the statutes is repealed.

15 **SECTION 1324.** 71.22 (4) (k) of the statutes is repealed.

16 **SECTION 1325.** 71.22 (4) (L) of the statutes is amended to read:

17 **71.22 (4) (L)** Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
18 (1g) and 71.42 (2), “Internal Revenue Code”, for taxable years that begin after
19 December 31, 1996, and before January 1, 1998, means the federal Internal
20 Revenue Code as amended to December 31, 1996, excluding sections 103, 104, and
21 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
22 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188,
23 and as amended by P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, P.L.
24 106–36, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16,
25 excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections

1 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L. 108–121, excluding section 109
2 of P.L. 108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of
3 P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and
4 910 of P.L. 108–357, and as indirectly affected in the provisions applicable to this
5 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2)
6 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008
7 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.
8 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.
9 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
10 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.
11 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
12 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.
13 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–554, excluding sections 162 and 165 of
14 P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.
15 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L.
16 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306,
17 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101,
18 201, 244, 336, 337, 909, and 910 of P.L. 108–357. The Internal Revenue Code applies
19 for Wisconsin purposes at the same time as for federal purposes. Amendments to the
20 federal Internal Revenue Code enacted after December 31, 1996, do not apply to this
21 paragraph with respect to taxable years beginning after December 31, 1996, and
22 before January 1, 1998, except that changes to the Internal Revenue Code made by
23 P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–554,
24 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431
25 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.

1 107-147, and P.L. 107-181, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L.
2 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L.
3 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357,
4 and changes that indirectly affect the provisions applicable to this subchapter made
5 by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554,
6 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
7 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.
8 107-147, and P.L. 107-181, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L.
9 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L.
10 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357,
11 apply for Wisconsin purposes at the same time as for federal purposes.

12 **SECTION 1326.** 71.22 (4) (m) of the statutes is amended to read:

13 71.22 (4) (m) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
14 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after
15 December 31, 1997, and before January 1, 1999, means the federal Internal
16 Revenue Code as amended to December 31, 1997, excluding sections 103, 104, and
17 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
18 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188,
19 and as amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.
20 106-170, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,
21 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections
22 101 and 406 of P.L. 107-147, and P.L. 107-181, P.L. 108-121, excluding section 109
23 of P.L. 108-121, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of
24 P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and
25 910 of P.L. 108-357, and as indirectly affected in the provisions applicable to this

1 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2)
2 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008
3 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.
4 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.
5 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
6 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.
7 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
8 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.
9 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554,
10 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431
11 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.
12 107–147, and P.L. 107–181, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L.
13 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L.
14 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357.

15 The Internal Revenue Code applies for Wisconsin purposes at the same time as for
16 federal purposes. Amendments to the federal Internal Revenue Code enacted after
17 December 31, 1997, do not apply to this paragraph with respect to taxable years
18 beginning after December 31, 1997, and before January 1, 1999, except that
19 changes to the Internal Revenue Code made by P.L. 105–178, P.L. 105–206, P.L.
20 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of
21 P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.
22 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L.
23 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306,
24 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101,
25 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and changes that indirectly affect

1 the provisions applicable to this subchapter made by P.L. 105–178, P.L. 105–206, P.L.
2 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of
3 P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.
4 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L.
5 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306,
6 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101,
7 201, 244, 336, 337, 909, and 910 of P.L. 108–357, apply for Wisconsin purposes at the
8 same time as for federal purposes.

9 **SECTION 1327.** 71.22 (4) (n) of the statutes is amended to read:

10 71.22 (4) (n) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
11 (1g) and 71.42 (2), “Internal Revenue Code”, for taxable years that begin after
12 December 31, 1998, and before January 1, 2000, means the federal Internal
13 Revenue Code as amended to December 31, 1998, excluding sections 103, 104, and
14 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
15 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188,
16 and as amended by P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding
17 sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431 of P.L.
18 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147,
19 P.L. 107–181, and P.L. 107–276, P.L. 108–121, excluding section 109 of P.L. 108–121,
20 P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and
21 P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L.
22 108–357, and as indirectly affected in the provisions applicable to this subchapter
23 by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d)
24 (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L.
25 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L.

102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L. 107-276, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1998, do not apply to this paragraph with respect to taxable years beginning after December 31, 1998, and before January 1, 2000, except that changes to the Internal Revenue Code made by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L. 107-276, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections

1 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L. 107-276, P.L. 108-121, excluding
2 section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306, 307, 308, 401, and
3 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337,
4 909, and 910 of P.L. 108-357, apply for Wisconsin purposes at the same time as for
5 federal purposes.

6 **SECTION 1328.** 71.22 (4) (o) of the statutes is amended to read:

7 71.22 (4) (o) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
8 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after
9 December 31, 1999, and before January 1, 2003, means the federal Internal Revenue
10 Code as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L.
11 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66
12 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as
13 amended by P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L.
14 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22,
15 P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.
16 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, P.L. 108-27,
17 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section
18 109 of P.L. 108-121, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308,
19 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244,
20 336, 337, 909, and 910 of P.L. 108-357, and as indirectly affected in the provisions
21 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding
22 sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514
23 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.
24 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.
25 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150

(d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1999, do not apply to this paragraph with respect to taxable years beginning after December 31, 1999, and before January 1, 2003, except that changes to the Internal Revenue Code made by P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L.

1 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116,
2 P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L.
3 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L. 108–27, excluding
4 sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L.
5 108–121, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403
6 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909,
7 and 910 of P.L. 108–357, apply for Wisconsin purposes at the same time as for federal
8 purposes.

9 **SECTION 1329.** 71.22 (4) (p) of the statutes is amended to read:

10 71.22 (4) (p) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
11 (1g), and 71.42 (2), “Internal Revenue Code,” for taxable years that begin after
12 December 31, 2002, and before January 1, 2004, means the federal Internal Revenue
13 Code as amended to December 31, 2002, excluding sections 103, 104, and 110 of P.L.
14 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,
15 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 106–519,
16 sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, and
17 section 101 of P.L. 107–147, and as amended by P.L. 108–27, excluding sections 106,
18 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L.
19 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L.
20 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L.
21 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,
22 and P.L. 108–375, and as indirectly affected in the provisions applicable to this
23 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2)
24 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008
25 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.

1 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.
2 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
3 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.
4 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
5 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.
6 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L.
7 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16,
8 excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L.
9 107–147, excluding section 101 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L.
10 107–276, and P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L.
11 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–173, excluding
12 section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding
13 sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding
14 sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and P.L. 108–375. The
15 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal
16 purposes. Amendments to the federal Internal Revenue Code enacted after
17 December 31, 2002, do not apply to this paragraph with respect to taxable years
18 beginning after December 31, 2002, and before January 1, 2004, except that changes
19 to the Internal Revenue Code made by P.L. 108–27, excluding sections 106, 201, and
20 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–173,
21 excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,
22 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,
23 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and P.L.
24 108–375, and changes that indirectly affect the provisions applicable to this
25 subchapter made by P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27,

P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and P.L. 108–375, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1330. 71.22 (4) (q) of the statutes is created to read:

71.22 (4) (q) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g), and 71.42 (2), “Internal Revenue Code,” for taxable years that begin after December 31, 2003, and before January 1, 2005, means the federal Internal Revenue Code as amended to December 31, 2003, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, section 101 of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 109 of P.L. 108–121, and section 1201 of P.L. 108–173, and as amended by P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, P.L. 108–375, and P.L. 108–476, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202

(c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding section 101 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, P.L. 108-375, and P.L. 108-476. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 2003, do not apply to this paragraph with respect to taxable years beginning after December 31, 2003, and before January 1, 2005, except that changes to the Internal Revenue Code made by P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, P.L. 108-375, and P.L. 108-476, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, P.L. 108-375, and P.L. 108-476, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1331. 71.22 (4) (r) of the statutes is created to read:

71.22 (4) (r) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g), and 71.42 (2), “Internal Revenue Code,” for taxable years that begin after December 31, 2004, means the federal Internal Revenue Code as amended to December 31, 2004, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, section 101 of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 401, and 403 (a) of P.L. 108–311, and sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding section 101 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,

1 excluding sections 306, 308, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding
2 sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, P.L. 108-375, and P.L.
3 108-476. The Internal Revenue Code applies for Wisconsin purposes at the same
4 time as for federal purposes. Amendments to the federal Internal Revenue Code
5 enacted after December 31, 2004, do not apply to this paragraph with respect to
6 taxable years beginning after December 31, 2004.

7 **SECTION 1332.** 71.22 (4m) (h) of the statutes is repealed.

8 **SECTION 1333.** 71.22 (4m) (i) of the statutes is repealed.

9 **SECTION 1334.** 71.22 (4m) (j) of the statutes is amended to read:

10 71.22 (4m) (j) For taxable years that begin after December 31, 1996, and before
11 January 1, 1998, "Internal Revenue Code", for corporations that are subject to a tax
12 on unrelated business income under s. 71.26 (1) (a), means the federal Internal
13 Revenue Code as amended to December 31, 1996, excluding sections 103, 104, and
14 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
15 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188
16 and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L.
17 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,
18 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections
19 101 and 406 of P.L. 107-147, and P.L. 107-181, P.L. 108-121, excluding section 109
20 of P.L. 108-121, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of
21 P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and
22 910 of P.L. 108-357, and as indirectly affected in the provisions applicable to this
23 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,
24 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104,
25 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections